

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

SYLVIA ROCHE, et al. : CIVIL ACTION

v. :

SPARKLE CITY REALTY, INC., et al. : NO. 08-2518

ORDER

In this case, the Court entered an Order dated August 6, 2009 (Doc No. 61), following a telephone conference with counsel, which allowed the Plaintiffs to file a Motion to Dismiss the federal claims with prejudice and the state claims without prejudice, which Plaintiffs have now filed (Doc. No. 63). Although the Defendants have opposed this Motion, the Court will grant the Motion because the general practice in this Court, approved by the Third Circuit Court of Appeals on many occasions, is that, if federal claims are dismissed for any reason, the state claims should be remanded back to state court for greater judicial efficiency so that federal courts do not spend resources in determining state law claims when there is no independent basis for federal jurisdiction.

This is such a case. Although Defendants claim that they have invested time and effort in this case, there has not been any discovery or motions relating to the merits. Although the pleadings have been completed, that process need not be duplicated in state court.

For these reasons, it is hereby ORDERED that the federal claims are DISMISSED with prejudice and the state claims are DISMISSED without prejudice. The Clerk shall close the case.

BY THE COURT:

s/Michael M. Baylson

Date: 9/23/09

Michael M. Baylson, U.S.D.J.

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